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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/017,468	12/14/2001	Michael Sean Bailey	020605-000510US	5262

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EXAMINER

DINH, KHANH Q

ART UNIT	PAPER NUMBER
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2151

DATE MAILED: 05/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/017,468

Applicant(s)

BAILEY, MICHAEL SEAN

Examiner

Khanh Dinh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 March 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/20/2002</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-19 are presented for examination.

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Objections

2. Claims 1, 6 are objected to because of the following informalities:

In claims 1, 6, there is missing of ":" after the phrase "*the method comprising*".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Faris et al. (hereafter Faris), U.S. pat. No.6,659,861.

As to claim 1, Faris discloses a method for providing integrated media presentation, the method comprising:

broadcasting a television program regarding a contest in which an agent (client 160's fig.2A) can participate and providing content over a digital network, wherein the content includes information to assist the agent in winning the contest (processing a contest over a computer network, see abstract, fig.2A, col.16 line 23 to col.17 line 52).

As to claims 2-4, Faris discloses that the contest including determining the identity of a person, contacting a person and capturing a person (providing the identity of the contestant, see figs. 2C, 2D, col.17 line 57 to col.18 line 59).

As to claim 5, Faris discloses a method providing an integrated media presentation, the method comprising:

providing first information about a media event (contest/games online) over a first media distribution mechanism (150 fig.2A) and providing second information about a media event over a second media distribution mechanism (another server 150 fig.2A), wherein the second information is associated to the first information and providing for identifying or capturing a runner (client) using at least one of the media distribution mechanisms (processing a contest between multiple contestant over Internet, see abstract, fig.2A, col.16 line 23 to col.17 line 52).

As to claim 6, Faris discloses the first media distribution mechanism includes a

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television broadcast and wherein the second media distribution mechanism includes the Internet (see col.19 lines 1-62 and col.20 lines 11-53).

As to claim 7, Faris discloses a system comprising: a server computer (game server 150 fig.2A) comprising a website (contest web site), wherein the website contains information about a runner in a contest; a digital network (see col.18 lines 19-59 and col.19 lines 22-62); a client computer (160 fig.2A), wherein the client computer communicates with the server computer (150 fig.2A) through the digital network; a television broadcast network and a television receiving display signals through the television broadcast network and adapted to display images of the runner as the runner attempts to evade capture by one or more agents (processing a contest between multiple contestant over Internet and displaying contest live video, contestant images, and live contest queries, results, scores and statistics on a television-based spectator interface, see abstract, fig.2A, 2E, 7, col.43 lines 2-53).

As to claims 8-10, Faris discloses that the digital network is the Internet, maps of the runners path of travel and the website containing hints about the runner's location (see figs.4A, 4B, col.27 line 15 to col.28 line 58 and col.29 lines 24-64).

As to claims 11, Faris discloses the website contains a page for allowing online agents to share information about the runner's location and a page for allowing the online agents to enter a location for the runner (see figs.4A, 4B, col.27 line 15 to col.28 line 58

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and col.29 lines 24-64).

As to claims 12, Faris discloses a method comprising: providing for a television program that comprises a contest wherein a runner attempts to evade capture by one or more agents (clients/contestants) (processing a contest between multiple contestant over Internet and displaying contest live video, contestant images, and live contest queries, results, scores and statistics on a television-based spectator interface, see abstract, fig.2A, 2E, 7, col.43 lines 2-53) and providing for a website that contains information about the runner (see figs.4A, 4B, col.27 line 15 to col.28 line 58 and col.29 lines 24-64).

As to claims 13, Faris discloses that the agents are offline agents, and wherein the method further comprises: providing, through the website, for the ability of an online agent to attempt to capture the runner by entering a location for the runner (see fig.4F, col.36 line 37 to col.37 line 47 and col.38 lines 38-62).

As to claims 14, Faris discloses the runner wins a larger prize if the runner evades capture for a longer period of time (see fig.4F, col.36 line 37 to col.37 line 47 and col.38 lines 38-62).

As to claims 15, Faris discloses the runner wins a prize if the runner completes a predetermined number of tasks within a predetermined time (see fig.4F, col.36 line 37 to

col.37 line 47 and col.38 lines 38-62).

As to claims 16, Faris discloses, in the contest, the runner wins a prize if the runner completes a predetermined number of tasks within a predetermined time, and wherein the one or more agents win a reward if the one or more agents capture the runner before the runner completes the predetermined number of tasks (see col.38 lines 38-62 and col.41 line 26 to col.42 line 52).

As to claims 17, Faris discloses that the information about the runner comprises clues regarding the runner's current location (see fig.4F, col.36 line 37 to col.37 line 47 and col.38 lines 38-62).

As to claims 18, Faris discloses, in the contest, the runner completes a predetermined number of tasks within a predetermined period of time, wherein each task is to be performed at a different geographic location, and wherein the information about the runner on the website includes information about the tasks completed by the runner (see col.38 lines 38-62 and col.41 line 26 to col.42 line 52).

As to claims 19, Faris discloses providing clues about the runner's location or identify to the at least one agent if the at least one agent solves a puzzle (see col.2 lines 13-45 and col.41 line 26 to col.42 line 52).

Other prior art cited

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Philyaw, US pat. No.6,631,404.
- b. Philyaw, US pat. No.6,791,588.
- c. Philyaw, US pat. No.6,636,892.
- d. Van Duyne et al., US pat. No.6,859,784.

Conclusion

6. Claims 1-19 are rejected.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (571) 272-3936. The examiner can normally be reached on Monday through Friday from 8:00 A.m. to 5:00 P.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung, can be reached on (571) 272-3939. The fax phone number for this group is (703) 872-9306.

A shortened statutory period for reply is set to expire THREE months from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned (35 U. S. C. Sect. 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(A).

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Khanh Dinh
Patent Examiner
Art Unit 2151
5/15/2005